

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

76/461,157

AS HOLDINGS, INC.,	)	
	)	
Opposer,	)	
	)	Opposition No. 91182064
-vs-	)	
	)	Serial No. 76/461,157
H&C MILCOR, INC., f/k/a/	)	Mark: Miscellaneous Design
AQUATICO OF TEXAS, INC.,	)	(Pipe Boot Product Design)
	)	
Applicant.	)	

NOTICE OF FILING

TO: Terence J. Linn, Esq.  
Van Dyke, Gardner, Linn & Burkhardt, LLP  
2852 Charlevoix Drive SE, Suite 207  
Grand Rapids, MI 49588-8695

PLEASE TAKE NOTICE that on the 19th day of October, 2009, we filed with the United States Trademark Trial and Appeal Board, APPLICANT, H&C MILCOR, INC. f/k/a AQUATICO OF TEXAS, INC.'S PRETRIAL DISCLOSURES, a copy of which is attached hereto.



Dillis V. Allen  
Attorney for Applicant  
Reg. No. 22,460



10-19-2009

*CERTIFICATE OF SERVICE*

I, Dillis V. Allen, state that a copy of the foregoing Notice of Filing and Applicant, H&C MILCOR, INC. f/k/a AQUATICO OF TEXAS, INC.'S PRETRIAL DISCLOSURES were sent via Federal Express to the Trademark Trial and Appeal Board on October 16, 2009, and true and correct copies of same were sent on October 16, 2009, via first-class mail, postage prepaid, to Opposer's counsel as follows:

Terence J. Linn, Esq.  
Van Dyke, Gardner, Linn & Burkhardt, LLP  
2851 Charlevoix Drive SE, Suite 207  
Grand Rapids, MI 49588-8695

A handwritten signature in cursive script, appearing to read "D Allen", is written over a horizontal line.

Dillis V. Allen, Esq.  
105 S. Roselle Road  
Suite 101  
Schaumburg, IL 60193  
847/895-9100

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Applicant.	)	

*APPLICANT, H&C MILCOR, INC. f/k/a AQUATICO OF TEXAS, INC.'S  
PRETRIAL DISCLOSURES*

Pursuant to Rule 2.121(c), 37 C.F.R. Section 2.121(d),  
Applicant, H&C Milcor, Inc. f/k/a Aquatico of Texas, Inc.,  
makes the following pretrial disclosures:

WITNESSES

Applicant intends to take testimony or may take the  
testimony if the need arises, from the following witnesses:

1. Tom Mollen, Field Supervisor/Installer of Winward Roofing, 919 S. Sacramento, Chicago, IL 60611, Telephone: 773/638-6580. Mr. Mollen may testify regarding Applicant's products, Opposer's activities regarding pipe boots, the functional aspects of the industry and Portals Plus Pipe Boots, the origination of the Firestone and other manufacturers' pipe boots, the installation of pipe boots, the marketing of industry and Portals Plus pipe boots, materials and specifications thereof used in the manufacture of pipe boots, the testing of pipe boots, the recognition of the Portals Plus pipe boot in the trade and industry, the file history of Serial No. 76/461,157, patents relating to pipe boots, and industry practices.

2. John Cirachi, Controller of Winward Roofing,, 919 S. Sacramento, Chicago, IL 60611, Telephone: 773/638-6580. Mr. Cirachi may testify regarding Applicant's products, Opposer's activities regarding pipe boots, the functional aspects of the industry and Portals Plus Pipe Boots, the origination of the Firestone and other manufacturers' pipe boots, the installation of pipe boots, the marketing of industry and Portals Plus pipe boots, materials and specifications thereof used in the manufacture of pipe boots, the testing of pipe boots, the recognition of the Portals Plus pipe boot in the trade and industry, the file history of Serial No. 76/461,157, patents relating to pipe boots, and industry practices.

3. Larry Kozak, Engineering Manager of Hart & Cooley, 815 Kimberly Drive, Carol Stream, IL 60188, Telephone: 630/588-2544. Mr. Kozak may testify regarding Applicant's products, Opposer's activities regarding pipe boots, the functional aspects of the industry and Portals Plus Pipe Boots, the origination of the Firestone and other manufacturers' pipe boots, the installation of pipe boots, the marketing of industry and Portals Plus pipe boots, materials and specifications thereof used in the manufacture of pipe boots, the testing of pipe boots, the recognition of the Portals Plus pipe boot in the trade and industry, the file history of Serial No. 76/461,157, patents relating to pipe boots, and industry practices.

4. Larry Devitt, Marketing Manager/Architect of Hart & Cooley, 815 Kimberly Drive, Carol Stream, IL 60188, Telephone: 630/588-2514. Mr. Devitt may testify regarding Applicant's products, Opposer's activities regarding pipe boots, the functional aspects of the industry and Portals Plus Pipe Boots, the origination of the Firestone and other manufacturers' pipe boots, the installation of pipe boots, the marketing of industry and Portals Plus pipe boots, materials and specifications thereof used in the manufacture of pipe boots, the testing of pipe boots, the recognition of the Portals Plus pipe boot in the trade and industry, the file history of Serial No. 76/461,157, patents relating to pipe boots, and industry practices.

5. Sean Steimle, Vice President of Hart & Cooley, 815 Kimberly Drive, Carol Stream, IL 60188, Telephone: 630/588-2510. Mr. Steimle may testify regarding Applicant's products, Opposer's activities regarding pipe boots, the

functional aspects of the industry and Portals Plus Pipe Boots, the origination of the Firestone and other manufacturers' pipe boots, the installation of pipe boots, the marketing of industry and Portals Plus pipe boots, materials and specifications thereof used in the manufacture of pipe boots, the testing of pipe boots, the recognition of the Portals Plus pipe boot in the trade and industry, the file history of Serial No. 76/461,157, patents relating to pipe boots, and industry practices.

6. Russ Verbrugge, Engineer of Hart & Cooley, 5030 Corporate Exchange Boulevard SE, Grand Rapids, MI 49512, Telephone: 616/656-8200. Mr. Verbrugge may testify regarding Applicant's products, Opposer's activities regarding pipe boots, the functional aspects of the industry and Portals Plus Pipe Boots, the origination of the Firestone and other manufacturers' pipe boots, the installation of pipe boots, the marketing of industry and Portals Plus pipe boots, materials and specifications thereof used in the manufacture of pipe boots, the testing of pipe boots, the recognition of the Portals Plus pipe boot in the trade and industry, the file history of Serial No. 76/461,157, patents relating to pipe boots, and industry practices.

7. Tom Kelly, Owner/Roofing Manager of 2001 Company, 325 Thomaston Avenue, Waterbury, CT 06702, Telephone: 800/537-7663. Mr. Kelly may testify regarding Applicant's products, Opposer's activities regarding pipe boots, the functional aspects of the industry and Portals Plus Pipe Boots, the origination of the Firestone and other manufacturers' pipe boots, the installation of pipe boots, the marketing of industry and Portals Plus pipe boots, materials and specifications thereof used in the manufacture of pipe boots, the testing of pipe boots, the recognition of the Portals Plus pipe boot in the trade and industry, the file history of Serial No. 76/461,157, patents relating to pipe boots, and industry practices.

8. George Criel, President of Century Roofing Consulting, 1645 Hicks Road, Rolling Meadows, IL 60008, Telephone: 847/202-8500. Mr. Criel may testify regarding Applicant's products, Opposer's activities regarding pipe boots, the functional aspects of the industry and Portals Plus Pipe Boots, the origination of the Firestone and other manufacturers' pipe boots, the installation of pipe boots, the marketing of industry and Portals Plus pipe boots, materials

and specifications thereof used in the manufacture of pipe boots, the testing of pipe boots, the recognition of the Portals Plus pipe boot in the trade and industry, the file history of Serial No. 76/461,157, patents relating to pipe boots, and industry practices.

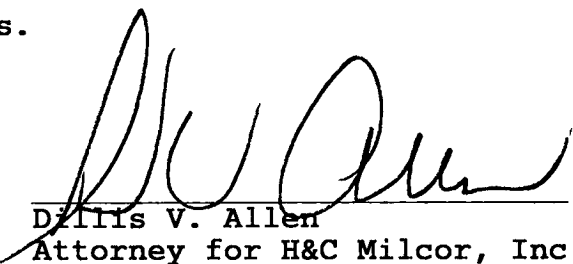
9. Mitch Rabin, Owner of A1 Roofing, 1425 Chase Avenue, Elk Grove Village, IL 60007, Telephone: 847/952-3600. Mr. Rabin may testify regarding Applicant's products, Opposer's activities regarding pipe boots, the functional aspects of the industry and Portals Plus Pipe Boots, the origination of the Firestone and other manufacturers' pipe boots, the installation of pipe boots, the marketing of industry and Portals Plus pipe boots, materials and specifications thereof used in the manufacture of pipe boots, the testing of pipe boots, the recognition of the Portals Plus pipe boot in the trade and industry, the file history of Serial No. 76/461,157, patents relating to pipe boots, and industry practices.

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#### EXHIBITS

Applicant intends to rely on or may rely on the Exhibits listed in the Opposer, AS HOLDINGS, INC.'s Pretrial Disclosures, and additionally may rely on the deposition witnesses and exhibits also listed in Opposer, AS HOLDINGS, INC.'S Pretrial Disclosures, and also may rely on further

Exhibits that may be produced at trial. These latter Exhibits will be provided to Opposer's attorney either in advance of the testimony of the individual witnesses or may be contemporaneously provided as the testimony of the individual witnesses progresses.



Dillis V. Allen  
Attorney for H&C Milcor, Inc.  
f/k/a Aquatico of Texas, Inc.  
Reg. No. 22,460

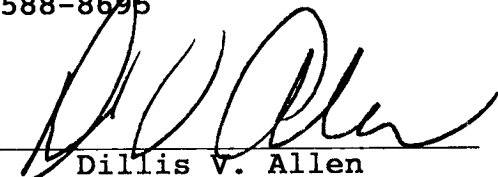
Dated: October 16, 2009

*CERTIFICATE OF SERVICE*

This is to certify that a copy of *APPLICANT, H&C MILCOR, INC. f/k/a AQUATICO OF TEXAS, INC.'S PRETRIAL DISCLOSURES* was sent via Federal Express to the Trademark Trial and Appeal Board on October 16, 2009, and a true and correct copy of same was sent on October 16, 2009, via first-class mail, postage prepaid, to Opposer's counsel as follows:

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